

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

(1) REDBIRD BUSINESS GROUP, LLC;)
(2) REDBIRD BIOSCIENCE OF)
OKLAHOMA, LLC; and)
(3) RB REALTY CO, LLC,)
Plaintiffs,)

v.)

Case No. 20-cv-00098-JAR

(1) MATTHEW HARRISON,)
Defendant/)
Counterclaim- Plaintiff.)

MARITEQ GROWERS LLC)
Garnishee.)

Non-Continuing Earnings and General Garnishee's Answer/Affidavit

***YOU (GARNISHEE) ARE REQUIRED TO FILE THIS ORIGINAL ANSWER WITH
THE COURT CLERK IN THE DISTRICT WHERE THIS MATTER IS FILED.***

COURT CLERK'S ADDRESS: 101 North 5th Street, Room 208, Muskogee, OK 74401

STATE OF OKLAHOMA)
) SS:
COUNTY OF TULSA)

I, Svetlana Eisenberg, (garnishee or individual answering on behalf of
garnishee), in answer to a garnishment summons served on the 21st day of
April, 2025, and having knowledge of the facts, hereby swear or affirm:

- **If Garnishee is an Individual:**
That garnishee is an individual, whose full legal name is

and that garnishee does business under the name of

- **If Garnishee is a Partnership:**

That garnishee is _____, a partnership
composed of the following persons:

If Garnishee is a Corporation:

That garnishee is a _____, a corporation,
organized under the laws of the state of _____
and the official title of the person answering on behalf of garnishee is

- I. At the time of the service of the garnishment summons, or upon the date it became effective, the garnishee was not indebted to judgment debtor RB REALTYCO, LLC n/k/a REDBIRD REALTY, LLC, for any amount of money nor did the garnishee have possession or control of any property, money, goods, chattels, credits, negotiable instruments or effects belonging to RB REALTYCO, LLC, n/k/a REDBIRD REALTY, LLC, , or in which RB REALTYCO, LLC, n/k/a REDBIRD REALTY, LLC, had an interest because the corporation RB REALTY CO, LLC, n/k/a REDBIRD REALTY, LLC was: *(Please check appropriate response)*

___ Not employed

___ Employed but no amounts due; specify reason:

☒ Other (specify):

Please see reasons set forth in the accompanying submission.

At the time of service of the garnishment summons or upon the date it became effective, the garnishee was indebted to RB REALTYCO, LLC, n/k/a REDBIRD REALTY, LLC, or had possession or control of the following property, money, goods, chattels, credits, negotiable instruments or effects belonging to RB REALTYCO, LLC, n/k/a REDBIRD REALTY, LLC, as follows: *(Please check appropriate response)*

___ Earnings as shown on the attached Calculation for Garnishment of Earnings form which is incorporated by reference into this answer;

___ Upon conducting the review of RB REALTY CO, LLC's account(s) mandated by 31 CFR § 212.1 et. seq, garnishee has determined the account(s) contains \$_____ **unprotected** funds, and \$_____ **protected** funds. Specify type(s) of protected funds, and if more than one type, specify amount of each:_____

Other (specify):

Check here ☐ if additional pages are necessary.

2. Nothing has been withheld due to a prior garnishment or continuing garnishment which will expire on _____ and is in Case Number _____ in the District Court of _____ County, Oklahoma. or in Case Number _____ in the United States District Court for the _____ District of Oklahoma.
3. On _____, 20____, the garnishee mailed a copy of the Notice of Garnishment & Exemptions and Application for Hearing by first-class mail to RB REALTYCO, LLC at:

Address _____
City _____
State _____ Zip _____
Date Mailed _____

Or, hand delivered the same to RB REALTY CO, LLC at:

Judgment Debtor:

Place

4. The garnishee makes the following claim of exemption on the part of RB REALTY CO, LLC RB REALTY CO, LLC, or has the following objections, defenses, or setoffs to judgment creditor Matthew Harrison's rights to apply garnishee's indebtedness to RB REALTY CO, LLC, upon Matthew Harrison's claims:

Please see reasons set forth in the accompanying submission.

Check here ☒ if additional pages are necessary.

By: Svetlana Eisenberg

Date:

Title: Counsel for Alleged Garnishee

Subscribed and sworn to before me on this _____ day of _____
2024.

Notary Public

My commission expires: _____

My commission number: _____

Calculation for Non-Continuing Garnishment of Earnings		
Judgment Debtor RB REALTYCO, LLC Pay Period		
1 (a)	Enter the pay period of RB REALTY CO, LLC, at the time the Garnishment Affidavit & Summons was served (<i>weekly, biweekly, semi-monthly, or other</i>). If other, please describe:	
1 (b)	Enter the date RB REALTY CO, LLC's present pay period began (" <i>present pay period</i> " means the pay period for which this garnishment calculation is made)	
1 (c)	Enter the date <u>RB REALTY CO, LLC's present pay period ends</u>	
RB REALTYCO, LLC Earnings		
2 (a)	Enter RB REALTYCO, LLC's, gross earnings for the entire pay period	
	Deductions from gross earnings as required by law:	
	i. Federal income tax withholding : _____	
	ii. FICA income tax withholding : _____	
	iii. State income tax withholding : _____	
2 (b)	TOTAL Deductions - (2(b) is the total of i, ii and iii)	
2 (c)	Subtract 2(b) from 2(a). This is RB REALTYCO, LLC's Net Earnings	
Available Garnishment Percentage		
3 (a)	If RB REALTY CO, LLC is NOT subject to child support garnishment or income assignment, SKIP to line 3(d) and enter 25%. Otherwise, enter 25% here.	25%
3 (b)	Enter the percentage of RB REALTY CO, LLC's income being withheld for child support garnishment &/or income assignment	
3 (c)	Subtract line 3(b) from 3(a) and enter percentage. <i>If line 3(b) is more than line 3(a), enter -0-.</i>	
3 (d)	Enter the lesser of 25% or line 3(c). <i>If NO child support garnishment or income assignment, enter 25% here.</i> This is the available garnishment percentage. If line 3(d) is -0-, skip to line 6 and enter -0- (there are no <u>available funds</u> for <u>the judgment creditor</u>).	
Garnishment Calculation		
4	Multiply the percentage in 3(d) times the net earnings in 2(c)	
5 (a)	Multiply the present federal minimum hourly wage as follows for RB REALTY CO, LLC's pay period (Minimum wage x multiplier below) <hr/> ---- <u>Weekly by 30</u> ! <u>Bi-weekly by 60</u> Semi-monthly by 65 Monthly by 130 For any other pay period, increase the multiple using the assumption that a month contains 4 1/3 weeks for a weekly pay period	

5 (b)	Subtract line 5(a) from line 2(c). <i>If line 5(a) is more than line 2(c), enter -0-</i>	
6	GARNISHMENT AMOUNT- Enter the lesser of line 4 or line 5(b). Pay this amount to the attorney for the judgment creditor. If -0-, then there are no available funds for the judgment creditor.	

Original Answer: When completed, Garnishee must mail original answer and calculation form to the Clerk of the U.S. District Court, at the courthouse where this matter is filed.

Payment: Garnishee must send a check for the amount garnished with a copy of Garnishee's answer and calculation form to the attorney for the judgment creditor, or to the judgment creditor if there is no attorney (check one box and show the address used in the mailing): ☐ Attorney for Judgment Creditor ☐ Judgment Creditor

Address:

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FOR THE EASTERN DISTRICT OF OKLAHOMA**

(1) REDBIRD BUSINESS GROUP, LLC;)	
(2) REDBIRD BIOSCIENCE OF)	
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Plaintiffs,)	
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v.)	Case No. 20-cv-00098-JAR
)	
(1) MATTHEW HARRISON,)	
)	
Defendant/)	
Counterclaim-Plaintiff.)	
)	
MARITEQ GROWERS LLC,)	
)	
Garnishee.)	

Claim for Exemption and Request for Hearing

1. I claim that funds sought in this garnishment action are exempt from execution because they are (check applicable box):

- ☐ A. Social Security benefits - 42 U.S.C. § 407.
- ☐ B. Supplemental security income - 42 U.S.C. § 1383(d).
- ☐ C. Unemployment benefits - 40 O.S. § 2-303.
- ☐ D. Workmen's Compensation benefits - 85A O.S. § 10.
- ☐ E. Welfare benefits - 56 O.S. § 173.
- ☐ F. Veterans' benefits - 38 U.S.C. § 5101, 31 O.S. § 7.
- ☐ G. Monies in Possession of Police Pensions - 11 O.S. § 50-124.
- ☐ H. Monies in Possession of Firemen's Relief & Pension Fund- 11 O.S. § 49-126.
- ☐ I. Monies in Possession of County Employee's Retirement System - 19 O.S. § 959.
- ☐ J. Monies in Possession of Public Employee's Retirement Fund - 74 O.S. § 923.
- ☐ K. Teacher's Annuities or Retirement Allowance - 70 O.S. § 17-109.
- ☐ L. Annuities and pension payments under Railroad Retirement Act- 45 U.S.C. § 23 lm
- ☐ M. United States Civil Service Retirement and Disability Pension Fund Payments - 5 U.S.C. § 8346.
- ☐ N. United States Civil Service Survivor Annuities - 5 U.S.C. § 8346.
- ☐ O. Interest in Retirement, Pension and Profit Sharing Plans - 60 O.S. § 327, 60 O.S. § 328.
- ☐ P. The Wages of Masters and Seamen-46 U.S.C. § 11109.

- ☐ Q. Funds vested in the Alien Property Custodian - 50 U.S.C. 4309(f).
- ☐ R. Prepaid Burial Benefits - 36 O.S. § 6125.
- ☐ S. Proceeds of Group-Life Insurance Policy - 36 O.S. 3632, and 36 O.S. § 4026.
- ☐ T. Alimony, support, separate maintenance, or child support necessary for support of judgment debtor or dependent - 31 O.S. § 1.1.
- ☐ U. Personal wage exemption because of undue hardship - 31 O.S. § 1.1.
- ☐ V. Longshore and Harbor Worker's Death and Disability Benefits - 33 U.S.C. § 916
- ☐ W. Foreign Service Retirement and Disability Benefits - 22 U.S.C. § 4060
- ☐ X. Compensation for Injury, Death, or Detention of Employees of Contractors with the US Outside of the US - 42 U.S.C. § 1717
- D** Y. Student loans or work assistance-20 U.S.C. § 1095a
- D** Z. FEMA Assistance - 44 CFR 206.110
- D** AA. Other (please state): _____

2. Check one box:

D I claim that all funds are exempt, or,

D I claim that the following amount of money is exempt: \$ _____
(Fill in the amount of funds claimed to be exempt).

3. Check if applicable:

D I have attached copies of the documents that show that my money is exempt.

4. If garnishment is for wages, this claim and request is filed for the pay period _____ through _____, inclusive.

5. I request a court hearing to decide my claim for exemption. Notice of the hearing should be given to me at:

(Judgment Debtor's Mailing Address)

In accordance with 12 O.S. § 426, I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct.

Judgment Debtor's Signature

Date

Mailing Instructions

Judgment Debtor must mail the original Claim for Exemption and Request for Hearing to the Court Clerk of the United States District Court, Eastern District of Oklahoma at the following address:

Bonnie N. Hackler, Clerk of Court
United States Courthouse
Eastern District of Oklahoma
P.O. Box 607
Muskogee, Oklahoma 74402

A copy of the Claim for Exemption and Request for Hearing should be mailed to Judgment Creditor's Attorney at the following address:

R. Trent Shores
Adam C. Doverspike
GableGotwals
110 North Elgin Ave., Suite 200
Tulsa, OK 74120
ATTORNEYS FOR JUDGMENT CREDITOR, MATTHEW HARRISON